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REMARKS

Responsive to the Office Action mailed August 10, 2005 Applicants provide the following. Thirty-seven claims remain pending in the application: Claims 1-37. Reconsideration of claims 1-37 in view of the remarks below is respectfully requested.

By way of this amendment, Applicants have made a diligent effort to place the claims in condition for allowance. However, should there remain any outstanding issues that require adverse action, it is respectfully requested that the Examiner telephone Thomas F. Lebens at (805) 781-2865 so that such issues may be resolved as expeditiously as possible.

Information Disclosure Statement

1. Applicants thank the Examiner for returning the initialed IDS form for the electronic IDS filed by Applicants on July 21, 2005. While it appears the Examiner has considered all of the references, the Examiner did not initial the first reference on the electronic IDS (i.e., U.S. Patent No. 4,621,188). Applicants respectfully request that the Examiner provide Applicants with an additional initialed copy indicating that U.S. Patent No. 4,621,188 was fully considered by the Examiner. A copy of the originally filed electronic information disclosure statement has been attached hereto for the convenience of the Examiner.

Claim Objections

2. Claim 36 stands objected to for containing a typographical error. Applicant has amended claim 36 as suggested by the Examiner, thus the objection is overcome.

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Claim Rejections - 35 U.S.C. §112

3. Claim 34 stands rejected under 35 U.S.C. § 112, second paragraph, as failing to particularly point out and distinctly claim that which Applicants regard as the invention.

Applicants have amended claim 34 by replacing "said at least one control channel" with "said at least one control terminal." Such language has proper antecedent basis in claim 33. Therefore, Applicants respectfully submit the rejection is overcome.

Double Patenting

4. Claims 1-37 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 1 of U.S. Patent No. 6,684,253.

Applicants submit that both the present application and the prior patent are commonly owned. Applicants recently filed assignments for the present application and U.S. Patent No. 6,684,253 assigning the present application U.S. Patent No. 6,684,253 from Jaycor, Inc. to The Titan Corporation and from the Titan Corporation to L-3 Communications Corporation. Thus, Applicants submit herewith a terminal disclaimer in compliance with 37 C.F.R. 1.321(c). Therefore, it is respectfully submitted that the rejection is overcome. A copy of the recently filed assignments has been provided herewith for the convenience of the Examiner.

Applicants also thank the Examiner for indicating that claims 1-24 would be allowable upon the filing of a terminal disclaimer. Applicants submit that claims 1-24 are now in condition for allowance.

Claim Rejections - 35 U.S.C. §102

5. Claims 25-37 stand rejected under 35 U.S.C. § 102 (e), as being

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anticipated by U.S. Patent No. 5,856,974 (*Gervais et al.*).

Gervais et al. disclose an Internetwork system comprising a plurality of routing domains coupled to a backbone. *Gervais et al.* discloses an internetwork system 100 comprising a plurality of domains 104-108. Each domain contains at least one router and a plurality local networks that each include a plurality of nodes (e.g., workstations and servers). The local networks are connected by intradomain routers 130-134 and interdomain routers 110-114 (See, FIG. 1). The domains 104-108 are connected to the backbone 102—a central connection path shared by nodes and networks connected to it—via the interdomain routers 110-114. The Examiner has asserted that the backbone 102 is equivalent to the “common portion” of Applicant’s claims 25 and 33 and “plurality of managers” of Applicant’s claim 33.

In contrast, independent claims 25 and 33, recite “a first domain comprising a first plurality of filters in a first communications channel...including a common portion” and “a second domain comprising a second plurality of filters in a second communications channel...including the common portion (emphasis added),” as claimed by Applicants.

The Examiner has asserted that the domain 104 in FIG. 1 of *Gervais et al.* is equivalent to “a first domain” of Applicant’s claims 25 and 33 and that the domain 304 in FIG. 3 of *Gervais et al.* is equivalent to “a second domain” of Applicant’s claims 25 and 33. FIG. 1 and FIG. 3 of *Gervais et al.*, however, depict two separate systems. Applicants are claiming two different domains within a single system. That is, FIG. 1 of *Gervais et al.* depicts of prior art computer internetwork including a collection of domains having one or more local network. FIG. 3, however, depicts a system in accordance with the invention of *Gervais et al.* The two systems are separate from one another. Thus, these portions of *Gervais et al.* do not teach a single system including both a first domain and a second domain as variously recited in claims 25 and 33.

Furthermore, the domains 104, 304 cannot include “the common portion”

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shared by "a first domain" and "a second domain," as claimed by Applicants. That is, a domain in the system shown in FIG. 1 can not have a common portion that it shares with a second domain that is part of a separate system. Thus, *Gervais et al.* does not teach or suggest the common portion that is included within the first domain and the second domain.

Applicants note that within FIG. 1 of *Gervais et al.* there are two domains (104, 108) defined within the system. The following analysis assumes that the Examiner is using these two domains (or has taken one of the domains from FIG. 1 and combined added it into the system of FIG. 3) in asserting that the system of *Gervais et al.* includes "the common portion" of the first communication channel and the second communication channel as recited in the claimed invention.

The Examiner has asserted that the backbone 102 (column 1, lines 17-24) of *Gervais et al.* is equivalent to "the common portion" of Applicant's claims 25 and 33. Applicants note that the backbone 102 is outside of any domain and is connected to domains via routers 110, 112, 114. That is, the backbone 102 is not part of any domain as defined in *Gervais et al.* In contrast, "the common portion" of Applicant's claims 25 and 33 is within both "a first domain" and "a second domain." That is, the common portion to both domains is a portion of both the first communication channel and the second communication channel. Additionally, the common portion is part of both the first domain and the second domain. While the backbone of *Gervais et al.* may be a path that is shared by the nodes, *Gervais et al.* clearly defines that the backbone is not part of either domain. For example, the backbone of *Gervais et al.* is not utilized when nodes within a domain communicate. For example, there is a direct connection between the source node 123 and the destination node 126 through routers 130, 132 which data can be transferred that does not include the backbone. Similarly, for any node within domain 108, any node within the domain 108 can communicate through router 134 with any other node in the domain 108 without utilizing the backbone 102. Therefore,

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because the backbone of *Gervais et al.* is not part of either domain, *Gervais et al.* does not teach or suggest “a first domain comprising a first plurality of filters in a first communications channel...including a common portion” and “a second domain comprising a second plurality of filters in a second communications channel...including the common portion (emphasis added),” as claimed by Applicants. Thus, Applicants respectfully submit the rejection is overcome and claims 25-37 are in condition for allowance.

Further regarding claim 25, Applicants claim “a first domain comprising a first plurality of filters in a first communications channel, the first communications channel including a common portion, a first terminal coupled at one end of the first communications channel, and a second terminal coupled at another end of the first communications channel, the first plurality of filters employing a first plurality of filtering criteria; a second domain comprising a second plurality of filters in a second communications channel, the second communications channel including the common portion, a third terminal coupled at one end of the second communications channel, and a fourth terminal coupled at another end of the second communications channel, the second plurality of filters employing a second plurality of filtering criteria.”

Thus, the first domain includes a first communication channel having a common portion with terminals that are part of the first domain on two ends of the first communication channel. Similarly the second domain includes a second communication channel having the same common portion with terminals that are part of the second domain on two ends of the second communication channel. The Examiner has asserted that the backbone is equivalent to the common portion of claim 25. However, the backbone of *Gervais et al.* is not part of the communication channel that is between any two nodes that are located at the two ends of a communication channel within the domain 104. Similarly, the backbone of *Gervais et al.* is not part of the communication channel that is between any two nodes that are located at the two ends

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of the second communication channel that is within the domain 108. That is, there is no common portion of *Gervais et al.* that is part of a communication channel between two nodes of the domain 104 and that is also part of the communication path between two nodes of the domain 108.

M.P.E.P. section 2131 states that "[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987)." As shown above, *Gervais et al.* does not teach or suggest "a first domain comprising a first plurality of filters in a first communications channel...including a common portion" and "a second domain comprising a second plurality of filters in a second communications channel...including the common portion," as variously recited in claims 25 and 33. Applicants respectfully submit, therefore, that independent claims 25 and 33 are in condition for allowance. Applicants also submit that claims 26-32 and 34-37 are in condition for allowance at least because of their dependency upon an allowable independent claim.


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CONCLUSION

Applicants submit that the above amendments and remarks place the pending claims in a condition for allowance. Therefore, a Notice of Allowance is respectfully requested.

Respectfully submitted,

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Attachments: 1) Copy of Electronic Information Disclosure Statement
2) Copy of Assignments

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